

Appln No. 10/691,883

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REMARKS/ARGUMENTS

Claims 1-34 are pending, with claims 1-2, 4-8, 11-14, 17, 19, 20, 22, 24, 25, and 27 being amended, and with claims 31-34 being new claims.

The Examiner objects to the drawings since reference numerals 52, 54A and 54B are not included. FIG. 17 is amended to attend to these noted deficiencies.

The Examiner rejects claims 1-18, 20, 22 and 24-30 under 35 U.S.C. 112, second paragraph. As amended, claims 1-8, 11-14, 17, 19, 20, 22, 24, 25, and 27 are all free from any 35 U.S.C. 112, second paragraph, shortcomings, and accordingly, this ground of rejection is traversed.

Turning to more substantive matters, the Examiner rejects claims 1, 2, 4, 5, 15-18 and 26 under 35 U.S.C. 102(b) as anticipated by Sorensen. The Examiner states that Sorensen teaches a swinging bin storage system with a cabinet, a plurality of bins slidable and pivotal into and out of the cabinet via upper and lower slidable pivots/tracks, where the tracks are adjacent to the front of the cabinet. The bins further include a catch, movable support means and include sections hingeably attached together and the cabinet further includes a glide surface (10).

Applicant has carefully reviewed the Sorensen reference, and respectfully submits that claims 1, 2, 4, 5, 15-18 and 26 are not anticipated by Sorensen. Claim 1 recites a swinging bin storage system wherein each bin has "a slideable pivot that permits the bin to laterally slide within the cabinet and to swing out of the cabinet." [Emphasis added.] The limitation

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that the bin "laterally" slides within the cabinet is a feature absent in the Sorensen reference. Rather, in Sorensen, each drawer section 6 is hingedly attached to a box like follower 7 that only slides only in and out of the cabinet, but not laterally (side-to-side.) Another point of distinction is that with Sorensen, the presence of the box like follower 7 substantially decreased the depth of the drawer section 6. In contrast, the "slideable pivot" of Applicant's claimed invention permits a much deeper bin to be located in the cabinet. Accordingly, this ground of rejection is overcome.

The Examiner rejects claims 1, 2, 5-7, 9, 10 and 17 under 35 U.S.C. 102(b) as anticipated by Meyer et al. The Examiner states that Meyer et al. teaches a swinging bin storage system comprising a cabinet with a plurality of bins slidable and pivotal into and out of the cabinet via upper and lower slidable pivots/tracks. The tracks are adjacent to the front of the cabinets, and the bins further include a movable support means and the cabinet further includes glide surfaces. The tracks in the Meyer et al. reference follow an L-shaped path to permit a video storage door to be pulled out and pushed back into the cabinet to conceal the videotapes.

Applicant has analyzed the Meyer et al. reference, and finds that as with the Sorensen reference, in Meyer et al. the bin (video storage door) does not "laterally slide within the cabinet and ... swing out of the cabinet." Instead, Meyer et al. states that "[t]he pivotal movement of the door within its hinge assemblies can be more accurately described as a rotation of a square within a square. The guide members 55 moving in

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straight lines in the grooves 47 and 49 during both the opening and closing movement, with the portion of the door carried between the hinge assemblies rotating within the cabinet." See Col. 2, line 67 to Col. 3, line 5. Accordingly, Applicant respectfully submits that Meyer et al. does not anticipate claims 1, 2, 5-7, 9, 10 and 17, and reconsideration is requested.

Although not raised by the Examiner, Applicant further respectfully submits that neither Sorensen nor Meyer et al. would render any of claims 1, 2, 4, 5, 15-18 and 26 or claims 1, 2, 5-7, 9, 10 and 17 obvious since the method of operation of the cabinets of Sorensen and Meyer et al. differ very substantially than that claimed by Applicant.

The Examiner next rejects claim 8 under 35 U.S.C. 103(a) as unpatentable over Sorensen in view of Baker and also over Meyer et al. in view of Baker. Baker teaches a low friction material. While Baker indisputably teaches a low friction strip, since claim 1 upon which claim 8 is dependent is not believed to be obvious, neither is claim 8 obvious.

The Examiner rejects claim 11 under 35 U.S.C. 103(a) as unpatentable over Meyer et al. in view of Hommes. Although Hommes does teach sliding bins with a second side wall, since claim 11 depends on claim 1 which is believed to be unobvious, claim 11 is not obvious either.

The Examiner next rejects claims 14 and 25 under 35 U.S.C. 103(a) as unpatentable over Sorensen in view of Bauer and also over Meyer et al. in view of Bauer. Although Bauer does teach a cabinet with an attachment mechanism, since claims 14 and 25

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both depend on claim 1 which is believed to be unobvious, claims 14 and 25 are not obvious either.

The Examiner next rejects claims 27-29 under 35 U.S.C. 103(a) as unpatentable over Sorensen in view of Bauer and also over Meyer et al. in view of Bauer. Although Bauer does teach a cabinet with an attachment mechanism, since independent claim 27 recites "a slideable pivot that permit the bin to laterally slide within the cabinet and to swing out of the cabinet" [emphasis added], which, as discussed above with reference to the rejection of claim 1, is not taught or suggested by Sorensen or Meyer et al., claims 27-29 are believed to be unobvious.

Lastly, with respect to claim 28, the Examiner states that even though Sorensen in view of Bauer and Meyer et al. in view of Bauer fail to teach plural cabinets, it has been held that mere duplication of the essential working parts of a device involves only routine skill in the art. While this is true, since claim 27 upon which claim 28 depends is believed to be unobvious, so too should claim 28.

Based on the forgoing, Applicant respectfully submits that the rejected claims should be allowed.

The Examiner objects to claims 3, 12, 13, 20, 22, 24 and 30 but states that they would be allowable if rewritten to overcome rejections under 35 U.S.C. 112, second paragraph, and to include all of the limitations of the base claim and any intervening claims. The Examiner allows claims 19, 21 and 23.

As amended, claims 20, 22, 24 are believed to be allowable.

Furthermore, new claim 31 includes the limitations of claims 3, 2 and 1, and is thus allowable. New claim 32 includes

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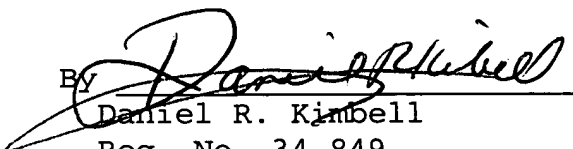
the limitations of claims 12, 11 and 1, and is allowable. New claim 33 includes the limitations of claims 13 and is dependent upon now allowable claim 32, and is thus allowable. Lastly, claim 34 includes the limitations of claims 30, 29 and 27, and is thus allowable.

Applicant believes that all outstanding matters have been attended to and that the various grounds of rejection have been traversed. However, if the Examiner has any alternative thoughts or suggestions, a telephone call to the undersigned would be appreciated.

Respectfully submitted,

CHRISTIE, PARKER & HALE, LLP

By


Daniel R. Kimbell

Reg. No. 34,849

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Amendments to the Drawings:

The attached sheet of drawings includes changes to FIG. 17. This sheet, which includes FIG. 17, replaces the original sheet including FIG. 17.

Attachment: Replacement Sheet
 Annotated Sheet Showing Changes

